United Nations S/PV.7715

Security Council

Seventy-first year

Provisional

7715th meeting
Tuesday, 14 June 2016, 3.30 p.m.
New York

President:	Mr. Delattre	(France)
Members:	Angola	Mr. Lucas
	China	Mr. Liu Jieyi
	Egypt	Mr. Aboulatta
	Japan	Mr. Okamura
	Malaysia	Mr. Ibrahim
	New Zealand	Mr. Taula
	Russian Federation	Mr. Safronkov
	Senegal	Mr. Ciss
	Spain	Mr. Oyarzun Marchesi
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Mr. Pressman
	Uruguay	Mr. Rosselli
	Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

Agenda

The situation in Libya

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The meeting was called to order at 3.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2016/531, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Angola, China, Egypt, France, Japan, Malaysia, New Zealand, Russian Federation, Senegal, Spain, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela (Bolivarian Republic of)

The President (*spoke in French*): The draft resolution received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2292 (2016).

I now give the floor to Council members wishing to make a statement after the vote.

Mr. Rycroft (United Kingdom of Great Britain and Northern Ireland): At the outset, I would like to offer my sincerest condolences to the representative of the United States following the horrific attack in Orlando on Saturday. This was a hateful act of terror against the lesbian, gay, bisexual and transgender community, and the United States has the fullest support of the United Kingdom and, I hope, of the whole Council as it comes to terms with this unspeakable tragedy.

Sadly, it is clearer than ever that we are all threatened by terrorism and those who follow terrorist ideologies. It is absolutely imperative that we fight these threats together — that we fight them as a united Council. So I warmly welcome the unanimous adoption of resolution 2292 (2016) today. As the penholder on this issue, the United Kingdom has made it a priority to take meaningful action against the illegal flow of weapons to Libya. We do so as a sign of our support for the Libyan Government of National Accord. It is making progress, taking control of the machinery of Government in Tripoli, and beginning to assert their authority, but it is clear that such progress still faces challenges. The existing arms embargo has not fully stopped the flow of weapons.

Illicit weapons are undermining the peace and security of the region. They are enabling terrorists to murder, to maim, to bring yet more chaos to the people of Libya and the region, who have suffered for too long. So this resolution authorizes all Member States and regional organizations to take specific and measured steps in response. It enables us to interdict vessels on the high seas off Libya when we believe that there are arms going to or from Libya on board. It enables us to inspect, seize and dispose of weapons and to divert vessels to a suitable port to facilitate that disposal.

In adopting this resolution today, let us remember that we have taken but one step. It is sensible, proportionate and necessary. The Libyans need our support, and I want to pay tribute to the courage of the Libyan forces fighting and increasingly defeating Da'esh in Benghazi, in Sirte and elsewhere. But Libya faces a twin threat. Just as Da'esh continues to exploit Libyan territory, criminal gangs continue to exploit the fear of people seeking a safer future. The waters of the Mediterranean are now synonymous with suffering; so many people feel they have no choice but to flee, to risk all they have, so that they might escape to safety.

So in adopting this resolution today, let us also reassert our support for the European Union mission, Operation Sophia, and all that it is doing to address the migrant crisis. We fully support its efforts to build the capacity of the Libyan coast guard, and as the British Prime Minister made clear at the Group of Seven Summit, we stand ready to provide an additional ship to increase interdiction efforts further.

Let me close by thanking all the members of the Council, including our European colleagues from Spain and France, for their support for this resolution today. Together, we have taken an important step forward that will help secure the coast of Libya, that will limit

Da'esh's freedom of movement, and that will ultimately help tackle the migration crisis.

Mr. Aboulatta (Egypt) (*spoke in Arabic*): Egypt voted in favour of resolution 2292 (2016). We wish to thank the delegation of the United Kingdom for all its efforts leading to the adoption of this important resolution. In addition, my delegation wishes to highlight the following points.

First, we reiterate our full support for the Presidency Council of the Government of National Accord in Libya and its efforts to restore stability in that fellow Arab State.

Secondly, enforcing the arms embargo in Libya and preventing illicit arms from reaching extremists and terrorists there are indeed vital goals. In fact, they are central to efforts to eradicate the terrorist threat in Libya. In that context, we again we wish to commend the United Kingdom and the other European Union members of the Security Council for their initiative in proposing this resolution.

Thirdly, achieving success in countering terrorism in Libya requires a comprehensive approach in addressing the threat. Therefore, no form of support for terrorists, including weapons, must be allowed to reach Libya. At the forefront of this effort should be the halting of the flow of terrorists to the country, as well as curbing their flow from the country through the Mediterranean to Europe.

It is noteworthy that today's resolution requests the Secretary-General to report to the Security Council on the threat posed to Libya and its neighbours by Da'esh and other terrorist groups. Accordingly, Egypt, acting in close cooperation with its partners on the Security Council, intends to strive to meet this challenge with a view to strengthening the international anti-terror system/regime as it pertains to Libya and making it more comprehensive.

Fourthly, we reiterate our call on the international community, and the Security Council in particular, to extend its support to Libyan national security institutions, at the head of which is the Libyan National Army, in their efforts to combat and eradicate terrorism. The Army, as the sole professional military force in existence in Libya today, should form the core of any future Libyan armed forces. We also wish to warn against the extreme danger of relying on any elements in Libya that have or have had ties to extremism or terrorism when it comes to setting up the national armed forces or to providing security to the Government of National Accord.

Mr. Safronkov (Russian Federation) (*spoke in Russian*): The Russian Federation did not prevent the adoption of resolution 2292 (2016). When we began working on the draft, we had the impression that this initiative was supposed to bring order to the illicit trafficking in weapons in Libya. That is why our delegation joined the discussions, intent on creating an additional effective filter in international waters of the Mediterranean.

But we were totally disappointed by the approaches of some colleagues when working on the document. When matters of principle had to be addressed, which requires diplomacy, they instead relied on ultimatums. Indeed, some partners decided that they wanted to see the Brussels decision to broaden the mandate of the military maritime Operation Sophia approved at any price. Furthermore, we saw unilateral, one-sided approaches put forward regarding the key issue of a political settlement in Libya that did not abide by the provisions of the Skhirat Agreement, which is the core of the inter-Libyan agreement and the joint Vienna Communiqué.

This is a very dangerous trend because, in this context, the undermining consequences of NATO's actions are being overlooked as even as they negatively impact stability in the Mediterranean basin, North Africa and in the Middle East as a whole. But we are still disentangling the violations and broad interpretations of resolution 1973 (2011) and the violations perpetrated by NATO members in 2011.

Our decision not to hinder the adoption of the resolution was based on two ideas. First, the resolution sets forth procedures that do not go beyond the framework of those agreed earlier by the Security Council, namely, resolution 2182 (2014) on Somalia and resolution 2240 (2015) on combating illegal migration. We hope that approaches to obtaining the agreement of flag State for planning inspections will indeed be upheld in full, and not just in words. We are guided by the clear provision of international maritime law that only the flag State has jurisdiction in the high seas. This reflects one of the most important freedoms of the high seas — the freedom of navigation.

Secondly, we believe that requests for exemptions from the arms embargo, in particular with respect to

the provision of lethal weapons, will be submitted for review to the Sanctions Committee, which applies the principle of consensus. We shall scrupulously follow the content and review of such requests most carefully. With respect to the provision of lethal weapons for the needs of the Government of National Accord of Libya, we would welcome the establishment of viable national armed forces with a central chain of command. However, such forces do not exist today in Libya. Nevertheless, due to the position of some delegations, the resolution does not stress the goal of establishing united security forces, which is of critical importance to restoring the unity of the country and its State institutions. Everyone knows how the United Nations is working towards these ends.

Creating united forces is reflected in the joint Vienna Communiqué, of 16 May, and is enshrined in resolution 2291 (2016), of 13 June, which extended the mandate of the United Nations Support Mission in Libya. Without an effective central Government, a loyal army and police, Libyans will be unable to deal with all of the challenges ahead.

The position adopted by the Security Council as it drew up today's resolution leads one to believe that there is a hidden agenda behind the resolution that will not unite long-suffering Libya. It is possible that somebody is seeking a *carte blanche* so as to manage the weapons flow into Libya as they see fit. Today, that means helping some Libyans against others, which makes a peaceful settlement to the crisis even more remote. That is demonstrated, inter alia, by evidence of a foreign military presence in Libya not approved by the Security Council, as well as the flow of foreign terrorist fighters into the country.

We need to find our position in this context. Are we going to work together or not? Let us not forget that there are forces in Libya that are loyal to General Haftar which are effectively pushing back against the Islamic State in Iraq and the Levant (ISIL) and other armed terrorist groups. It is inadmissible to ignore this fact.

The general philosophy of the resolution leads us to believe that the sponsors are, frankly, not being very sincere in their fight against ISIL and the terrorist presence in Libya. We underscore that we are fully committed to the full implementation of the Skhirat Agreement. However, we must remember that this document plans for the approval of the composition of the Government of National Accord and the Parliament in Tobruk. Unfortuantely, in spite of our multiple requests, that was not reflected in the resolution and was simply ignored.

We call on all Member States to come together in an effort to resolve regional conflicts and combat terrorism and avoid trying to implement their own agendas. We call on Member States to be united rather than divided.

Mr. Liu Jieyi (China) (*spoke in Chinese*): Preventing the flow of illicit weapons into Libya affects the peace, security and stability of Libya and related regions. China supports the internationalnternational community in taking effective measures to implement the provisions of the Council's resolutions as they relate to the arms embargo in Libya and, in particular, in terms of severing the channels and networks used by terrorist organizations to smuggle and acquire weapons.

It is China's hope that countries will fully and appropriately implement resolution 2292 (2016), comply with the related principles of international law, and respect the sovereignty, legitimate rights and interests of flag States. The measures taken by countries in implementing the resolution should not prejudice the exclusive jurisdiction of the flag States over the related vessels. The inspection of related vessels should be undertaken only with the consent of the flag States and in accordance with the resolution.

China hopes that the various Libyan parties will resolve their differences as soon as possible through negotiation, restore peace, security and stability to the country, and combine their efforts in order to meet the challenges in the security field.

Mr. Yelchenko (Ukraine): First of all, I would like to add my voice to the expressions of sympathy and condolences conveyed through the United States delegation to the victims of the mass shooting in Orlando, which took so many innocent lives.

By voting in favour of today's resolution 2292 (2016), Ukraine proceeded from the conviction that, despite the introduction of the arms embargo on Libya in 2011, the threats posed by the trafficking of arms and ammunition to that country, as well as to the countries of the region, are growing. In an atmosphere of insecurity and political instability, armed groups operating in Libya, including terrorist organizations like Da'esh or Al-Qaida, still have access to the transfer of arms delivered to Libya in violation of the arms embargo.

These arms are being used not only to destabilize Libya, but to undermine peace and security in northern Africa and beyond.

The coordinated international support to Libya and the region to address the issue of the smuggling of illegal arms is highly needed now. The trafficking of arms not only to Libya but from Libya must be stopped. In this context, Ukraine welcomes the 23 May decision of the Council of the European Union to extend the mandate of Operation Sophia by one year and to add to its mandate the implementation of the United Nations arms embargo on the high seas off the Libyan coast. We also welcome the decision of the European Union to contribute to the training of the Libyan navy and coast guard, which we believe would strengthen counter arms proliferation measures in the Libyan territorial waters.

Finally, my delegation wishes to reiterate its support to the sovereignty, independence, territorial integrity and national unity of Libya.

Mr. Gasso Matoses (Spain) (*spoke in Spanish*): Spain voted in favour of resolution 2292 (2016) and wishes to thank Security Council members for their support for Operation Sophia to ensure compliance with the arms embargo on Libya by sea.

The European Union supports the security of the Mediterranean. We share a series of problems that neither of the two coasts can deal with on its own: terrorism, human trafficking and arms proliferation, among others. Operation Sophia has been successful in its first year of life and has responded to traffickers who endanger the lives of thousands of people on a daily basis.

Spain is one of the largest contributors to the Operation. Last May, in agreement with the Government of Libya, we started training coast guard officials. With the authorization of the Security Council, we now wish to improve the enforcement of the arms embargo on Libya as its authorities have requested for some time now and in accordance with the commitment it undertook at the ministerial conference in Vienna in May. We also believe that a strengthened embargo will strengthen the authority of the Presidency Council and the Government of National Unity already installed in Tripoli.

Ultimately, Operation Sophia is only one illustration of Europe's commitment to Libya. We have offered our cooperation to Prime Minister Serraj in other areas, such as emergency humanitarian assistance, health care and strengthening local institutions.

Spain has also cooperated with Libya in other areas, such as the promotion of freedom of the press and fighting hate speech through a series of seminars for the Libyan media, organized with the cooperation of UNESCO. The third such seminar was held in June 2015 in Madrid. We will closely follow the development of the political situation in the coming months and are ready to contribute to the Libya's stability, always with utmost respect for its national sovereignty.

The path we have chosen, as High Representative Federica Mogherini said in this Chamber a few days ago (see S/PV.7705), is of constant coordination between the European Union and the United Nations to serve the collective interest of the international community as a whole. That will be our main objective as we implement the resolution we have just adopted.

Mr. Méndez Graterol (Bolivarian Republic of Venezuela) (*spoke in Spanish*): At the outset, I wish to express our condolences to the delegation and people of the United States over the horrendous acts of violence that took the lives of so many innocent people in Orlando.

The Bolivarian Republic of Venezuela voted in favour of resolution 2292 (2016) because it believes that the threat posed by the presence of terrorist and other armed groups to peace and stability in Libya and throughout the region calls for a common effort of the international community to take effective measures against the illicit trafficking in small arms and light weapons in violation of the arms embargo. We believe, indeed we are convinced, that illegal arms trafficking is one of the main contributors to destabilization and to the propagation of terrorism in the region.

In authorizing the interdiction of ships on the high seas suspected of transporting arms to be used by the Islamic State in Iraq and the Levant or Da'esh or other terrorist organizations in Libya, respect for international law must be upheld, which includes obtaining the consent of the vessel's flag State prior to any inspections. The authorities of those flag States should cooperate with such inspections. We must also bear in mind the need to not cause undue delay to or undue interference with the exercise of freedom of navigation in accordance with the relevant legal instruments of the law of the sea. We believe that the practice of interdicting vessels on the high seas off the

coast of Libya with a view to combating the traffic in arms and related materiel should not be extrapolated to other possible cases, nor should such practice take place in the territorial waters of Libya without that country's express consent.

We are convinced that the fight against terrorism requires the effective implementation, without any double standard, of Security Council resolutions that prohibit the financing and transfer of arms to terrorist groups, which are committing appalling crimes in the Middle East and Africa in violation of international humanitarian law and human rights.

Moreover, our delegation is aware of the tremendous challenges faced by the new Libyan authorities in this transition phase with regard to the urgent need to address the proliferation of weapons and the presence of various armed groups, the majority of which are operating outside of the effective control of the Libyan State. Foreign terrorist fighters, as well as terrorist and extremist groups such as the Islamic State in Iraq and the Levant and Al-Qaida, have continued to consolidate their presence in Libya, exploiting the institutional collapse and existing political divisions as well as the absence of strict border controls resulting from the armed intervention by certain NATO countries in 2011.

As indicated last week by the Special Envoy of the Secretary-General, Mr. Martin Kobler (see S/PV.7706), Libya is awash in weapons. There are approximately 20 million weapons in a country with only 6 million inhabitants, which reach Libya illegally by land and by sea. This is the alarming reality that is fuelling the conflict and endangering the gains made in the context of the political process as well as by the Government of National Accord.

In this regard, Venezuela believes that it is vital that the Libyan authorities implement a viable plan that would enable the State to fully assume its security functions as quickly as possible, including the monopoly over the use of force provided for in the relevant provisions of the Libyan Political Agreement. This includes the development of national security institutions, the demobilization and reintegration of former combatants, and the implementation of official security-sector reform programmes. The international community as a whole must support Libya in these objectives.

The adoption of this resolution is taking place in a decisive context in terms of making progress in the implementation of the Libyan Political Agreement, a process promoted by the United Nations and that we all supported. We reiterate that the implementation of the Skhirat Political Agreement, of 17 December 2015, is the only way of achieving a peaceful and sustainable solution that could provide the necessary assistance and support to Libyan State institutions, so as to enable them to function smoothly and contribute to finding a peaceful, negotiated political solution to the armed conflict in Libya.

Lastly, we wish to reiterate our firm commitment to the principle of full respect for the sovereignty and territorial integrity of Libya.

The President (*spoke in French*): I shall now make a statement in my national capacity as the representative of France.

As I did yesterday on behalf of the presidency of the Security Council, I should like here, on behalf of France, to once again express to our American friends and partners our deep condolences and full solidarity during this most difficult time.

France welcomes the unanimous adoption of resolution 2292 (2016), which is the result of the joint initiative of the three members of the European Union on the Security Council, with the United Kingdom as penholder. Following the vote and the statements that have just been made, I believe that there are several salient points.

First, this document addresses primarily an urgent security need. As violations of the arms embargo on Libya are ongoing, fuelling instability in the country and benefiting Da'esh and other terrorist groups, it was imperative that the Security Council establish, as expeditiously as possible, an adequate framework for action providing the international community with real and effective means of implementing the embargo imposed by the Council, without prejudice, of course, to the capacity of the Government of National Accord to request exemptions thereto.

The resolution makes it possible to effectively carry out, on the high seas off the Libyan coast, inspections of vessels suspected of being engaged in arms trafficking. This represents a significant step forward in the implementation of the arms embargo in Libya. It will contribute to the stability of the country and to the security of neighbouring States and of the region as a whole.

The international community must also work to stem the flow of weapons to Libya by land and by sea, weapons that, if not authorized by the sanctions committee, represent a violation of the resolutions of the Security Council. It is also imperative that all parties increase their vigilance in this area.

Secondly, the document is well balanced. The Chapter VII authorization under the resolution is carefully set out. It would apply in very specific contexts and does not call into question the law of the sea, whose guiding principle remains the consent of the flag State. The resolution also has as a goal the implementation of the arms embargo, so as to support the Government of National Accord. It also usefully recalls that the Government can be the recipient of legal arms transfers, with a view in particular to strengthening those who, under full Government authority, are combating terrorism.

Thirdly and finally, the document will immediately be followed up with concrete action. As the Council is aware, the European Union, on 23 May, made known its intention to contribute to the strengthening of the arms embargo in Libya by broadening the scope of the mandate of operation Sophia of the European Union military operation in the Southern Central Mediterranean. This commitment on the part of the European Union and the support provided today by the Security Council through the adoption of the resolution bear witness once again to the leading role played by the European Union in the quest for peace and stability in Libya, primarily in the interests of the Libyan people but also with a view to ensuring the security of the countries neighbouring Libya, of the region and of Europe. We deem this a most positive development.

I wish to conclude my statement by emphasizing the success that the adoption of the resolution represents for the Security Council. It makes clear once again our capacity to come together to take the measures necessary so as to effectively ensure international peace and security for a reconciled and unified Libya.

I now resume my functions as President of the Security Council.

The meeting rose at 4.15 p.m.